

**STATE BOARD ADVISORY PANEL  
FOR SPECIAL EDUCATION**

The Arizona State Advisory Panel for Special Education held a meeting at the Arizona Dept. of Education, 1535 W. Jefferson, Room 417, Phoenix, Arizona, on November 15, 2011, from 9:30 am – 3:30 p.m.

Members Present

Lisa Aaroe  
Lisa Bernier  
M. Diane Bruening, Ed.D.  
Ronald L. Clanton  
Susan Douglas  
Amanda Heyser  
Robert Hill, Ed.S.  
Sharon Lynch  
Dr. Ida Malian  
Leanne Murrillo  
Laura Schweers  
Kim Skrentny  
Ralph Tillapaugh  
Kay B. Turner, Ed.D, Co-Chair  
Valerie VanAuker  
Nancy K. Williams, Co-Chair

Others Present

Cyndi Bolewski, ADE/ESS  
Valerie Andrews-James, ADE/ECSE  
Joan McDonald, ADE/ESS  
Jeannette Zemeida, ADE/ESS  
Jordan Ellel, Office of the Attorney General  
John Copenhaver, Technical Assistance for  
Excellence in Special Education

Members Absent

Gail Jacobs, Ed.D., Vice-Chairperson  
Kathy McDonald  
Kimberly A. Peaslee

Minutes Approved (As Read)(As Amended)

Chairperson: \_\_\_\_\_

Signature

Date

Topic	Discussion	Outcome
1. Call to order.	Dr. Kay Turner, Co-Chair, called the meeting to order at 9:30 a.m.	1. None.
2. Approval of September 20, 2011 minutes.	<p>The following changes were made to the minutes:</p> <p>Identifying Dr. Gail Jacobs as the Vice Chairperson Identifying as Dr. Kay Turner as a Co-Chairperson Page 3, "Ms. Williams <u>moved</u> that the common core assessment ..." was changed to read, "Ms. Williams <u>suggested</u> ..."</p> <p>Sue Douglas made a motion which was seconded by Robert Hill to approve the minutes of the September 20, 2011 meeting as amended.</p> <p>The motion was approved.</p>	2. Motion carried.
3. Public comment.	Nancy Williams welcomed the public in attendance. She explained to those present the procedures for making a comment. Anyone wishing to comment on an agenda item was asked to fill out a brief questionnaire stating which agenda item they wished to comment on. That person would then be called on when that item was discussed. Anyone wishing to comment on an item not on the agenda was asked to come forward at that time.	3. None.
4. Special Education Advisory Panel New Members.	<p>Ms. Williams welcomed the three new members of the Panel. The new members are: Amanda Heyser, Leanne Murillo, and Kim Skrentny. The new members attended an orientation meeting the previous evening.</p> <p>Attending SEAP members introduced themselves.</p>	4. None.
5. Hot Topics in Special Education: A Heads Up for Panel Members.	<p>John Copenhaver, Director of Technical Assistance for Excellence in Special Education (TAESE) updated the Panel regarding his opinions of current regional and national hot topics.</p> <p>An issue not on the current list but is of growing concern in mental health in public schools. This is currently impacting public schools. There needs to be better coordination between agencies on providing mental health services to all children in public and charter schools.</p> <p>Issue 1: Reauthorization of the Elementary and Secondary Education Act (ESEA). This law is the foundation of all other education laws. Senator Harkin has introduced an 800+ page bill on the Senate side. Reauthorization is a slow process Some Emerging Themes: Assisting students who are "at risk" Increased accountability</p>	5. None.

Topic	Discussion	Outcome
	Consistency between ESEA and IDEA (Individuals with Disabilities Education Act) Highly effective teachers	
	Issue 2: Individuals with Disabilities Education Act (IDEA) The last time this law was changed was in 2004. This law will probably not be reauthorized until 2013 or 2014. Some issues that may be addressed: Dyslexia Addition of Autism spectrum Highly effective teachers Enhanced fiscal accountability Virtual special education services	
	Issue 3: Privatization of Public Education. There seems to be a movement to modify public education as we know it. Charter schools Private schools Vouchers Increased federal requirements Virtual education	
	Issue 4: Polarization. There continues to be more people on the extremes of any issue. This includes the educational environment.	
	Issue 5: Part C Regulations and Early Intervention There are now new and long-awaited Part C regulations. Early intervention continues to be a major theme at the United States Department of Education. Some changes made to the Part C may carry over to IDEA – Part B during re-authorization.	
	Issue 6: Ongoing Professional Development It is critical to provide ongoing professional development opportunities for all stakeholders and staff. Hot Topics: Children with Autism Research-based strategies Using technology	

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	<p>Issue 7: Emergence of Virtual Education</p> <p>In some cases, technology is replacing the brick and mortar school building. Virtual programs expanding throughout the country. IDEA is now behind this advancement. There are many questions relating to special education and virtual education.</p> <p>Issues:</p> <ul style="list-style-type: none"><li>Child Find</li><li>IEP</li><li>Related Services</li></ul>	
	<p>Issue 8: National Core Curriculum.</p> <p>How will the common core influence special education and services for children with disabilities?</p>	
	<p>Issue 9: Economy</p> <p>The current state of the American economy is impacting the ability of States and school districts to pay for services.</p>	
	<p>Issue 10: Fiscal Accountability</p> <p>Critical Issues</p> <ul style="list-style-type: none"><li>Proper use of IDEA funds</li><li>Maintenance of State financial support</li><li>Local Education Agency (LEA) maintenance of support</li></ul>	
	<p>Mr. Copenhagen provided the Panel with a booklet, "Developing and Implementing an Effective System of General Supervision: Part B". He reminded them that the State of Arizona Special Education program will be monitored by the Office of Special Education Programs (OSEP) in the future. SEAP will be part of this process. SEAP members will need to have a good knowledge of General Supervision. It was suggested that Panel members begin to familiarize themselves with the 9 parts of General Supervision.</p>	
	<p>The SEAP Annual Report is a summary of the Panel's advice and recommendations to Exceptional Student Services (ESS). It is due July 1 each fiscal year. It is critical that this report be submitted each year.</p>	
	<p>Mr. Copenhagen recommended that SEAP continue to foster its relationship with the Interagency Coordinating Council (ICC) the Part C counterpart to SEAP. While annual meetings may not always be necessary, he suggested that executive committees meet or that individuals who have a connection to both groups keep the Panel updated on current activities.</p>	
	<p>Mr. Copenhagen also suggested that the Panel establish one or two priorities for the year. It is</p>	

Topic	Discussion	Outcome
	important to continue to address unmet needs.	
	Mr. Copenhagen fielded questions from the Panel.	
6. Open Meeting Law Presentation.	<p>Jordan Ellel, Assistant Attorney General, Education Health Section, Office of the Arizona Attorney General presented on Arizona's Open Meeting Law.</p> <p>Open Meeting Law is covered in A.R.S. §§ 38-431 – 439. Mr. Ellel informed the Panel that it had been revised during Summer 2011.</p> <p>The purpose of the Open Meeting Law is to protect and inform the public; maintain integrity of government; and build trust between government and citizens.</p> <p>Who does it apply to? The legislature, all boards and commissions of this state or political subdivisions, all multi-member governing bodies of departments, agencies, institutions and instrumentalities of the state or political subdivisions; and any advisory or subcommittees created by the original board.</p> <p>The subcommittees are subject to the same rules and have to post a notice and an agenda 24 hours prior to the meeting and have minutes taken at their meetings.</p> <p>The definition of a meeting is listed in A.R.S. § 38-431(4): The gathering, in person or through technological devices, of a quorum of members of a public body at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to such action.</p> <p>A quorum is defined as a majority of a board or commission. Vacancies do count toward the number of members of a board unless their bylaws say otherwise. If quorum isn't met the Panel can't have a meeting. Anything that the group does without a quorum would be considered outside the scope of the Open Meeting Law.</p> <p>Telephone conferencing needs to be closely monitored to ensure continued member participation in order to maintain a quorum. Mr. Ellel suggested polling the members participating by phone before voting on any action or moving to a new topic on the agenda in order to track quorum.</p> <p>Arizona SEAP Bylaws currently do not include discounting vacant positions for quorum or the topic of telephone conferencing.</p> <p>The meeting location must be accessible to the public.</p>	6. None.

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	Public bodies must post all public meeting notices on their website and give additional public notice as is reasonable and practicable as to all meetings. The SEAP agenda is posted on the Arizona Department of Education (ADE) website. The agenda is also posted in the ADE lobby.	
	Meeting notice is required at least 24 hours in advance of a meeting. Mr. Ellel reviewed exceptions to the requirement.	
	The agenda must include: date, time and place of meeting. A consistent time for all meetings is recommended.	
	The agenda must also include matters to be discussed, considered, or decided at the meeting. It must also contain information reasonably necessary to inform the public. It can't include acronyms, legalese and agency slang.	
	Panel members cannot discuss items not listed on the agenda. All discussions must be reasonably related to agenda items.	
	Mr. Ellel reviewed the November SEAP Agenda and gave the Panel advice on the description of agenda items. Agenda items should be written so that any member of public can read the agenda and understand what will be discussed. Agenda items that include a presenter from outside the Panel should be written so that individuals understand that the Panel may decide to take action on the topic once the information is received.	
	<i>[Lisa Aaroe left the meeting at 11:18 am.]</i>	
	Materials used during the meeting must be available to members of the public at the meeting.	
	Minutes of meeting are required. They must be available to the public, in audio or written form, within 3 working days of the meeting. Minutes in Executive Sessions shall be kept confidential.	
	Mr. Ellel reviewed the items that have to be included in the minutes. He also reviewed the contents of Executive Session Minutes.	
	Members of the public are permitted to attend public body meetings. They are not permitted to speak at the meeting unless the public body allows it. If they speak at the meeting they must identify themselves and not disrupt the meeting. The public body can limit speaking time of each speaker.	
	Mr. Ellel briefly reviewed the guidelines for Executive Sessions.	

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	<p>To avoid Open Meeting Law violations: 1) make sure to follow rules for having a meeting, 2) make sure there is a quorum; 3) don't discuss the business of the Panel outside of the meeting.</p> <p>E-mail communications among a quorum of a public body are subject to the same restrictions that apply to all other forms of communication among a quorum. E-mail among a quorum that involves discussions, deliberations or taking legal action on matters that may reasonably be expected to come before the board constitute a meeting through technological means.</p> <p>Violation of the Open Meeting Law can result in the one or more of the following sanctions: 1) Panel actions are null and void; 2) investigation by Attorney General or County attorney; 3) civil penalties for each violation against anyone who commits a violation.</p> <p>The Panel broke for lunch at 12:15 pm and resumed the meeting at 1:00 pm.</p>	
7. Common Core Standards/ Assessment.	<p>Ms. Roberta Alley, Associate Superintendent, Arizona Department of Education, Accountability and Assessment updated the Panel on the development of the assessments for the Common Core Standards.</p> <p>Ms. Alley serves as Arizona's member on the Leadership Team for Partnership for Assessment of Readiness for College and Career (PARCC). Arizona is a participating state. This means that representatives from Arizona are involved in making the decisions about the assessment program. Superintendent Huppenthal serves on the Governing Board. Ms. Alley serves on the Leadership Team and serves as chair of the working group for Accommodations, Accessibility and Fairness.</p> <p>PARCC members are working on several issues that have to be solved: construct of the test, technology-based assessment; and the need for paper/pencil version if test is online for children who cannot take computer based assessments.</p> <p>The Accommodations, Accessibility and Fairness working group is working to define the 1% student. There are two 1% consortia and two regular consortia. The two 1% consortia are working on this definition.</p> <p>The 1% is the alternate assessment for those students with a significant cognitive disability. When the federal government brought out the new rules approximately 7 years ago, this area wasn't defined well and so states' definitions may vary. PARCC members are working to create a common definition since this assessment will be used by multiple states.</p>	7. None.

Topic	Discussion	Outcome
	<p>Getting 25 states to come to consensus is a huge task. However, the states have already come to consensus on a few big ideas. There will be end of course testing for high school grades, 9, 10 and 11. Sue Douglas asked if this schedule will accommodate block scheduling. This is one of the questions that haven't been answered yet. Testing students who take online courses is another area that has yet to be resolved.</p> <p>Test windows pose a challenge. Arizona, Mississippi, Arkansas, Louisiana, and New Mexico schools are dismissed by May 20, whereas East Coast schools are dismissed June 20. Trying to come up with testing timelines for multiple test windows is proving a challenge when taking students' access to social media and sharing into account. Performance based test items are the biggest concern.</p> <p>In the spring the consortia wrote a single Response for Proposal (RFP) to develop a tool to assess a school's capacity and readiness technology-wise to give the assessment. That tool will be available the end of January. Once the consortia receive the results they will have a better sense of what the technology needs are in Arizona and what the needs are across the country.</p> <p>There is a group working on specifications, determining what kind of devices can be used for the test. This information should be done by December. Any device that can be purchased currently should meet the requirements of the assessment.</p> <p>Grades 3-5 will be taking their performance based assessment with paper and pencil. Students at that age may not have the keyboarding skills needed to take the assessment on a computer. However, the end-of-the year multiple choice-type items will be computer based so that the schools can get the scores back before the end of the school year.</p> <p>Ms. Alley fielded questions from the Panel. (These can be found in the Addendum to the November 15, 2011 Minutes.)</p>	
8. Arizona Department of Education (ADE), Exceptional Student Services (ESS)	<p>Joan McDonald, Deputy Associate Superintendent, Arizona Department of Education, Exceptional Students Services (ADE/ESS) informed the Panel that a staff member of Accountability and Assessment would be available for each SEAP meeting to update them on the Common Core Standards/Assessment. They can also send questions to Ms. McDonald who will forward the questions to Ms. Alley.</p> <p>Ms. Williams asked that specific topics be included under the Common Core Standards/Assessment agenda item so that Panel members can come to the meeting with questions geared toward those topics.</p>	8. None.



Topic	Discussion	Outcome
	<p>Cynthia Bolewski, Director, Arizona Department of Education, Exceptional Students Services (ADE/ESS) reported to the Panel on the 2010 Annual Performance Report (APR).</p> <p>Indicator 3: Statewide Assessment – Participation and performance The assessment data wasn't available prior to this meeting.</p> <p>Indicator 4: Suspension/Expulsion – Suspension/expulsion rates Many states thought they were done in Spring 2011. However, OSEP provided new guidance at the Leadership Conference in August 2011, followed by webinars and a new technical assistance guide. Many states, including Arizona, are revising their methodology based on the new guidance.</p> <p>The data for this indicator is from School Year 2009-2010. ESS staff will review the data based on the revised methodology for this indicator.</p> <p><i>[Ida Malian left the meeting at 2:00 pm.]</i></p> <p>The new state rate for this indicator is 0.65%. The target for this indicator will be set at 5.65%. The cell size for this indicator has been changed to 50.</p> <p>The data was reviewed based on the new target. For Indicator 4A there are two public education agencies (PEAs) above the state rate. For Indicator 4B there are 4 PEAs above the state rate. Two of the PEAs are also the same two that were identified in 4A.</p> <p>Sue Douglas expressed her concerns that Charter schools aren't included in this Indicator due to their small cell count. Ms. Bolewski added that small elementary districts have this same issue.</p> <p>Indicator 7: Preschools Skills – Percent of preschool children with improved positive social-emotional skills/acquisition and use of knowledge and skills; use of appropriate behaviors.</p> <p>Arizona met all 6 targets but did not make progress over previous year.</p> <p>Indicator 9: Disproportionate Representation in Special Education – Percent of districts with disproportionality of racial and ethnic groups due to inappropriate ID.</p> <p>Indicator 10: Disproportionate Representation in Specific Disability Categories – Percent of districts with racial and ethnic disproportionality in specific disability categories as a result of inappropriate ID</p>	

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	<p>The target for both Indicators is 0%. The target was met for both indicators.</p> <p>Indicator 13: Secondary Transition with IEP goals – Percent of youth age 16+ with IEP with measurable, annual IEP goals and transition services.</p> <p>The target for this Indicator is 100%. The results for this Indicator are 89% which is an improvement from the previous year.</p> <p>Ms. McDonald updated the Panel on Arizona's Eleventh Annual Transition Conference which was held October 3-5, 2011.</p> <p>The conference is an inter-agency collaborative process with the Arizona Department of Economic Security, Rehabilitation Services Administration, Vocational Rehabilitation; Arizona Department of Economic Security, Division of Developmental Disabilities; Arizona Department of Health Services, Office for Children with Special Health Care Needs; and the Arizona Developmental Disabilities Planning Council.</p> <p>The Keynote Speaker was Rick Lavoie. Mr. Lavoie was well-received as were the other presenters at the conference. There were 829 participants this year.</p> <p>ESS is in the first round of the Principals Institutes. The first day training addressed Child Find, Individualized Education Plan (IEP) and Parent Involvement. The next session will address procedural safeguards and discipline. The trainings were held in Tucson, Flagstaff and Phoenix.</p> <p>ESS has a lot of trainings going on throughout the year. The ESS Calendar of Events can be found on the ADE website at: <a href="http://www.ade.az.gov/onlineregistration/SelectEvent.asp?viewall=" yes"&amp;groupid='11"'>http://www.ade.az.gov/onlineregistration/SelectEvent.asp?viewall="yes"&amp;GroupID=11</a>.</p> <p>The Summary of ESS trainings is now posted on the ADE/ESS website.</p> <p><i>[Laura Schweers left the meeting at 2:37 pm.]</i></p>	
9. Early Childhood Special Education (ECSE)	<p>Valerie Andrews-James, Director, Early Childhood Special Education (ECSE), updated the Panel on ECSE activities.</p> <p>Ms. Andrews-James provided Panel members with a draft of the December 2011 ECSE newsletter which will soon be available on their website: <a href="http://www.azed.gov/early-childhood/preschool/">http://www.azed.gov/early-childhood/preschool/</a>. She reviewed several of the newsletter articles in her report to the Panel.</p>	9. None.

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	<p>Arizona has a State Literacy Plan that is currently out for public comment. It will cover Birth through Grade 12. A link for the plan can be found on the ECSE website.</p> <p>The long-awaited final 2011 Part C regulations became effective on October 28.</p> <p>The newsletter contains a section called "Lighthouse Programs". The early childhood unit is looking for "Lighthouse" Programs that demonstrate excellence and innovation in early childhood practices. Early childhood staff are planning to visit preschool programs once a month beyond the monitoring and technical assistance visit to find programs to highlight.</p> <p>Ms. Andrews-James briefly reviewed the revised guidelines regarding hearing screenings. The guidance recommended that a child's starting services not be held up prior to being determined eligible if it is obvious that a child is going to qualify for vision and/or hearing services. In the past the guidance was to wait until a child was screened. However, sometimes verification can take months to determine. The revision of the guidance has been included in the ECSE December Newsletter.</p> <p>ECSE has put a process in place for helping families in unorganized territories.</p> <p>Teaching Strategies GOLD (GOLD) has been fully implemented and all districts are now using it.</p> <p>An Intergovernmental Agreement (IGA) has finally been developed to provide services to children in the Havasupai village.</p> <p>The Family and Child Education (FACE) Program is a Bureau of Indian Education (BIE) program. One of the goals of the FACE Program is to promote the early identification and services to children with special needs. ECSE is working on building a relationship with this program.</p> <p>Indicator 6: Child Find, Ages Birth to 3 – Percent of infants/toddlers birth -3 with Individual Family Service Program (IFSP).</p> <p>Results: 99%. There were only 8 districts out of compliance. Out of the 8 districts, ECSE is working on corrective active action with 5. They are still working with the other 3 districts.</p> <p>ECSE has implemented its process of fully verifying files for early intervention. A school district has to submit a copy of the first page of a child's IEP that shows the child's birth date and that</p>	

Topic	Discussion	Outcome
	the IEP was written on or before the child's third birthday.	
	ECSE is also requiring districts to work with Arizona Early Intervention Program (AzEIP) to create their Early Childhood Process and Procedures instead of submitting their own version.	
10. Special Education Advisory Panel (SEAP)	<p>At the September meeting Panel members reviewed and summarized the minutes of SEAP's FY 2010-2011 meetings. Ms. Williams thanked Valerie VanAuker for gathering the summaries and creating a draft of the SEAP Annual Report.</p> <p>Panel members reviewed the document and suggested edits. The final document will be available for member approval at the January meeting.</p> <p>Robert Hill reported that he was recently at a National Association of State Directors of Special Education (NASDSE) Conference in Chicago. While at the conference he spoke with individuals from other states and shared Arizona's concerns about Indicator 1 (Graduation). He discovered that there is a waiver process for Indicator 1. Cynthia Bolewski is pursuing this option for Arizona.</p> <p>Kay Turner requested that ESS report back to the Panel on this waiver at the January meeting.</p> <p>Ms. Williams reported that Joan McDonald has a copy of the letter regarding Indicator 1 that Panel members created prior to her appointment as DAS. She will review the letter and determine whether or not the letter is ready to be submitted.</p> <p>Panel members will review the by-laws and bring suggested changes to the January meeting. John Copenhaver offered to review the by-laws and submit suggestions as well.</p> <p>Beginning with the January meeting a meeting summary will become a standing agenda item.</p>	10. None.
11. Members Reports from the Field	<p>Ron Clanton. Mr. Clanton is very active in the foster care community. Arizona is on the short list for the National Education Conference for 2013. At their board meeting last week they were talking about tracks. One of the tracks they want to have at the conference is special education with out-of-home placements and the special issues that come up. Specific issues: IEPs and alternative to public school placements (charter schools, etc.). If Panel members are interested in being involved with this conference, please contact Mr. Clanton.</p> <p>Kim Skrentny. Arizona Dept. of Health Services/Division of Behavioral Health Services (ADHS/DBHS) has been working on manual that will educate behavioral health on Arizona's education system. It has been finalized and should be posted on the DBHS website soon.</p>	11. None

Topic	Discussion	Outcome
	<p>The workgroup is also developing a training curriculum around the manual. It will be posted on the website as well.</p> <p>Leanne Murillo. Asked a question regarding testing for classroom aides. Joan McDonald informed Ms. Murillo and the Panel that any paraprofessional who assists with instruction, whether they are special education or Title I, has to meet the requirements. This means that they either have to have an Associate's Degree, 60 college credits, or pass the state Paraprofessional test. Some special education aides do not need to meet the criteria if they are strictly in the classroom for care and safety issues. However, if the aide is assisting with instruction, they have to meet that standard.</p> <p>Sue Douglas. One of the issues that charter schools are facing is cost effectiveness for students requiring alternate placement for the requirements for highly qualified teachers.</p> <p>One of the areas that impacts special education teachers are the requirements. She spoke about a document that schools have to fill out on their teachers based on last year's evaluation. It is an issue for teachers that teach outside of the regular classroom. The above referenced list is a conglomerate list of how many teachers are highly effective and how many teachers are highly qualified.</p> <p>Schools are now required to document whether or not each student is a resident of the state.</p> <p>Arizona has applied for the waiver for the cut score waiver for aides.</p> <p>Nancy Williams. Special education teachers are stressed. She voiced her concerns that teachers will leave the special education field due to pay cuts, higher case loads, new requirements, etc.</p> <p>Kay Turner. Had a situation come up that shows how different agencies are under laws that sometimes conflict. The situation had to do with a feeding plan included in an IEP. Information written in the IEP conflicted with a doctor's instructions. She discovered that information written in the IEP takes precedence over a doctor's orders, unless it is a health or safety issue. Information from a doctor must be considered but an IEP team does not need to implement if they don't think it's in the best interests of the child.</p> <p>Valerie VanAuker. Currently works for MIKID. MIKID operates throughout Arizona. Ms. VanAuker has set up a system for individuals in outer-lying areas to provide feedback to her on a regular basis. One of the issues that is being seen across the state is an increase in bullying. Parents of children with behavioral health needs are dealing with the issue on two fronts. Sometimes their child can be acting out in a bullying way but sometimes they are also the</p>	

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	victims of bullies. She is seeing a disconnect between behavioral health and education.	
	MIKID has family support partners that travel to the Native American reservations. The Native American community is having challenges with IEPs. Ms. VanAuker isn't sure how to help address this issue. Ms. McDonald offered her some resource advice.	
	Ralph Tillapaugh. Dr. Barbara Gantz, former SEAP member, is retiring.	
	Robert Hill. Arizona School for the Deaf and the Blind (ASDB) is working with Congresswoman Gabrielle Giffords' office on an Anti-Bullying Campaign in the City of Tucson. ASDB is a lead entity. They are working with major donors to get community education in place before the one year anniversary of Congresswoman Gifford's shooting in January.	
12. Adjournment.	The next SEAP meeting is scheduled for January 17, 2012.  The meeting was adjourned at 3:49 p.m.	12. Adjournment.